



## Congressman Lee M. Zeldin

### First Congressional District of New York

June 10, 2019

Executive Director Denise Miranda  
Justice Center for the Protection of People with Special Needs  
161 Delaware Avenue  
Delmar, New York 12054-1310

Dear Executive Director Miranda,

Over the past several months, it has come to my attention that the New York State Justice Center for the Protection of People with Special Needs (the Center) has failed to uphold its mandate to address neglect and abuse in the cases of Raymond Berrios and Joseph Barouch. According to the Center's mandate, the Center is responsible for "caring for the vulnerable populations by protecting the health, safety, and dignity of all people with special needs." However, disturbing reports continue to surface regarding the Center's inability to address the issues of neglect and abuse in group homes.

In the case of Raymond Berrios, there were substantiated findings of neglect and abuse at the Brookville Center for Children's Services on more than five different occasions. These include alarming allegations such as malnutrition, misadministration of medication, repeated acts of neglect and sexual abuse. The Center performed investigations with consequences disproportionate to the crime. While one staff member was fired, the necessary corrective measures to ensure that multiple cases of abuse like this would not happen again were never fulfilled.

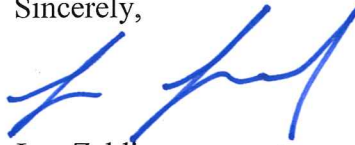
Unfortunately, this leads to a perpetual cycle of abuse like in the case of Joseph Barouch. Joseph Barouch is a 23 year old autistic man who claims (with evidence to substantiate) to have experienced traumatic abuse at LifeWorcs facility. After being forced to run on a treadmill, Joseph fell on the treadmill and fractured his neck. The group home worker, Richard Garnett, who is charged with the crime, had a history of abuse at past facilities. Mr. Garnett worked at Brookhaven Hospital, where he was suspected of committing abuse, and then FREE Group Home. If the Center had ensured the execution of thorough background checks before placing Mr. Garnett in other group homes, Joseph Barouch's injuries could have been avoided.

The Center should be taking every possible measure to ensure that abuses in these cases are not only investigated, but that systemic reforms are implemented to prevent additional acts of abuse. Furthermore, the Justice Center should take greater steps to refer cases of abuse by staff members to local law enforcement to ensure they are prosecuted to the fullest extent of the law.

Last year, I sent a letter to the Department of Justice to investigate the practices of this State agency. Today, I ask, what specific actions has the Center taken to address the underlying cause of neglect and abuse that continues to permeate across group homes in New York State? The conditions that have allowed employees like Mr. Garnett to continue working in the system must end. The abuse suffered by Raymond Berrios and Joseph Barouch cannot stop at an investigation; it must be rooted out systematically.

The cases of Raymond Berrios and Joseph Barouch are just two of too many across the State that have surfaced over the Center's inability to prevent and respond to neglect and abuse in group homes. The Center has a responsibility to protect the most vulnerable, and it is imperative that reforms are implemented immediately to prevent future cases of abuse for the disabled.

Sincerely,

A handwritten signature in blue ink, consisting of stylized, overlapping loops and strokes, positioned above the printed name.

Lee Zeldin  
Member of Congress